

REMARKS

Claim 1 has been amended to further differentiate the invention from the cited art.

Support may be found, for example, in Fig. 2 and page 4, lines 1-5.

Claim 1, as amended, provides:

“A fully contained solar powered laminated electrical tape illumination device comprising a plurality of flexible layers in stacked order including a flexible base sealing layer, a flexible thin film battery layer, a flexible thin film photovoltaic layer to produce electricity, an illuminator layer, electrical circuitry, a protective surface, an adhesive, and a removable covering for the adhesive applied to said protective surface or base sealing layer, wherein all of the aforesaid layers are flexible and the assembled laminated device is also flexible, and wherein the electrical circuit connects the battery layer, the photovoltaic layer and the illuminator layer whereby to selectively charge the battery and/or power the illuminator.”

The cited art does not teach the features of the claims. The Examiner cites U.S. Publication No. US 2002/0159245 to Murasko (“Murasko ‘245”) as teaching:

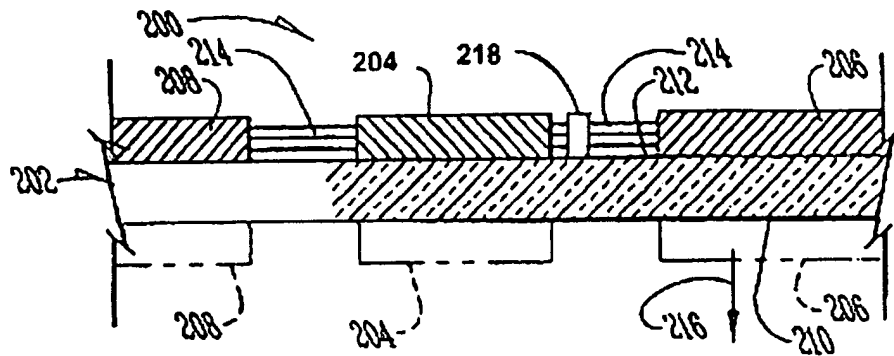
“A fully contained solar powered laminated electrical tape illuminated device comprising stacked layers including a substrate 202 that can be plastic; a photocell 208 (i.e., a photovoltaic that is illuminated by the sun); a device 204, such as a thin film battery, for storing electricity produced by the photocell 208; a source of illumination 206; electrical circuitry 214 for connecting the components; and, as a protective surface, a light transmissive, electrically insulating material” (see paragraphs 0023 to 0025).

Assuming the art teaches what the Examiner describes, nowhere in the art is taught a solar powered illumination device comprising a plurality of flexible layers in stacked order including a flexible base sealing layer, a thin film battery layer, a flexible thin film photovoltaic layer and an illuminator layer as required by the claims. That is to say, nowhere within the four corners of Murasko ‘245 is found a photovoltaic layer, a thin film battery layer, a transparent illuminator layer, or a combination of layers in stacked order as required by Applicant’s claims.

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Rather, Murasko '245 teaches a photocell 208 in the same stratum (or layer) with thin film battery 204, and the illumination source 206 as shown below.



Furthermore, none of the cited secondary sources provide the missing teachings.

Murasko '716 and Murasko '391 are cited by the Examiner as teaching a flexible substrate for the electroluminescent display. Neither Murasko '716 nor Murasko '391 provide a photovoltaic layer, a thin film battery layer, a transparent illuminator layer, or especially a photovoltaic layer disposed between the thin film battery layer and the illuminator layer. The secondary reference Curtin merely teaches a thin film photovoltaic cell, and Jönsson merely shows a rolled object. Japanese Patent No. JP362106671A to Yamamura ("Yamamura") teaches a photovoltaic layer and a capacitor layer, but does not provide a transparent illuminator layer or a photovoltaic layer disposed between the thin film battery layer and the illuminator layer.

Moreover, this distinction is more than merely academic. By including his several functioning elements in a same layer, Murasko severely limits the efficiency of his device. Applicant's claims require that the photovoltaic layer, the battery and the illumination layer all

be separate layers. Thus, essentially, the entire expansive Applicant's device may be used for gathering light, for storing electricity and for illuminating.

Moreover, there are other differences and advantages. As the specification teaches at page 3, lines 8-13:

"The size, simplicity and durability of the design is believed to be of major significance in providing hazard or safety marking over a wide range of applications.

Furthermore the invention can take advantage of large volume manufacturing processes, such as roll to roll lamination or sheet lamination techniques in order to produce the device in an economic manner."

Furthermore, layered design of the invention allows for roll to roll manufacturing as well as considerable simplification of design. Accordingly, no combination of Murasko '245, Murasko '716, Murasko '391, Yamamura, Curtin, and Jönsson teach the features of the claims and the rejection is inappropriate.

The remaining claims depend directly or indirectly on independent claim 1. The dependent claims are allowable for reasons adduced above, as well as for their own, additional, limitations.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Thus, entry of the Amendment, and allowance of the application are respectfully requested. Early and favorable action is respectfully requested.

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Respectfully submitted,

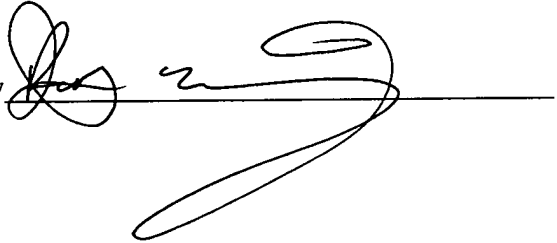


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